

111TH CONGRESS  
1ST SESSION

# H. R. 3234

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2009

Ms. EDDIE BERNICE JOHNSON of Texas introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Community-Based  
5       Health Care Retraining Act”.

1 **SEC. 2. HEALTH PROFESSIONS TRAINING DEMONSTRATION**  
2 **PROJECT.**

3 Section 171 of the Workforce Investment Act of 1998  
4 (29 U.S.C. 2916) is amended by adding at the end the  
5 following:

6 “(f) HEALTH PROFESSIONS TRAINING DEMONSTRA-  
7 TION PROJECT.—

8 “(1) DEFINITIONS.—In this subsection the fol-  
9 lowing definitions apply:

10 “(A) COVERED COMMUNITY.—The term  
11 ‘covered community’ means a community or re-  
12 gion—

13 “(i) that has experienced a significant  
14 percentage decline in rates of employment;  
15 and

16 “(ii)(I) that is determined by the Sec-  
17 retary of Health and Human Services (in  
18 consultation with the medical community)  
19 to be an area with a shortage of health  
20 care professionals described in subpara-  
21 graph (C)(i); or

22 “(II) that is underserved by the  
23 health care structure, such as a rural com-  
24 munity, a community with a significant mi-  
25 nority population, or a community for  
26 which an applicant can otherwise dem-

1           onstrate need for increased training for  
2           health care professionals.

3           “(B) COVERED WORKER.—The term ‘cov-  
4           ered worker’ means an individual who—

5                   “(i)(I) has been terminated or laid  
6                   off, or who has received a notice of termi-  
7                   nation or layoff;

8                   “(II)(aa) is eligible for or has ex-  
9                   hausted entitlement to unemployment com-  
10                  pensation; or

11                  “(bb) has been employed for a dura-  
12                  tion sufficient to demonstrate, to the ap-  
13                  propriate entity at a one-stop center re-  
14                  ferred to in section 134(c), attachment to  
15                  the workforce, but is not eligible for unem-  
16                  ployment compensation due to insufficient  
17                  earnings or having performed services for  
18                  an employer that were not covered under a  
19                  State unemployment compensation law;  
20                  and

21                  “(III) is unlikely to return to a pre-  
22                  vious industry or occupation;

23                  “(ii)(I) has been terminated or laid  
24                  off, or has received a notice of termination  
25                  or layoff, as a result of any permanent clo-

1           sure of, or any substantial layoff at, a  
2           plant, facility, or enterprise; or

3           “(II) is employed at a facility at  
4           which the employer has made a general an-  
5           nouncement that such facility will close  
6           within 180 days; or

7           “(iii) is an incumbent worker em-  
8           ployed in a health care profession, and  
9           whose training will provide an opportunity  
10          for employment of other individuals by in-  
11          creasing—

12                 “(I) the number of instructors  
13                 serving the covered community; or

14                 “(II) the number of vacant posi-  
15                 tions in the covered community.

16          “(C) HEALTH CARE PROFESSIONAL.—The  
17          term ‘health care professional’—

18                 “(i) means an individual who is in-  
19                 volved with—

20                         “(I) the delivery of health care  
21                         services, or related services, pertaining  
22                         to—

23                                 “(aa) the identification,  
24                                 evaluation, management, and

1 prevention of diseases, disorders,  
2 or injuries; or

3 “(bb) home-based or com-  
4 munity-based long-term care;

5 “(II) the delivery of dietary and  
6 nutrition services;

7 “(III) the delivery of dental serv-  
8 ices; or

9 “(IV) rehabilitation and health  
10 systems management; and

11 “(ii) includes individuals in health  
12 care professions for which there is a short-  
13 age in the community involved, as deter-  
14 mined by the Secretary of Health and  
15 Human Services (in consultation with the  
16 medical community) or as otherwise dem-  
17 onstrated by the applicant.

18 “(D) TRIBAL COLLEGE OR UNIVERSITY.—

19 The term ‘tribal college or university’ means a  
20 Tribal College or University, as defined in sec-  
21 tion 316(b) of the Higher Education Act of  
22 1965 (20 U.S.C. 1059c(b)).

23 “(2) ESTABLISHMENT OF PROJECT.—In ac-  
24 cordance with subsection (b), the Secretary shall es-

1       tablish and carry out a health professions training  
2       demonstration project.

3               “(3) GRANTS.—In carrying out the project, the  
4       Secretary, after consultation with the Secretary of  
5       Health and Human Services, shall make grants to  
6       eligible entities to pay for the Federal share of the  
7       cost of enabling the entities to carry out programs  
8       in covered communities to train covered workers for  
9       employment as health care professionals (referred to  
10      in this subsection as ‘training programs’). The Sec-  
11      retary shall make each grant in an amount of not  
12      less than \$100,000 and not more than \$500,000,  
13      and each such grant shall be for a period of 5 years.

14              “(4) ELIGIBLE ENTITIES.—Notwithstanding  
15      subsection (b)(2)(B), to be eligible to receive a grant  
16      under this subsection to carry out a training pro-  
17      gram in a covered community, an entity shall be a  
18      partnership that consists of—

19                      “(A) a local workforce investment board  
20                      established under section 117 that is serving  
21                      the covered community; and

22                      “(B) an institution of higher education, as  
23                      defined in sections 101 and 102 of the Higher  
24                      Education Act of 1965 (20 U.S.C. 1001, 1002),  
25                      in partnership with at least 1 of the following:

1 “(i) A health clinic or hospital.

2 “(ii) A home-based or community-  
3 based long-term care facility or program.

4 “(iii) A health care facility adminis-  
5 tered by the Secretary of Veterans Affairs.

6 “(iv) A tribal college or university.

7 “(v) A labor organization, or an in-  
8 dustry or industry group.

9 “(vi) A local economic development  
10 entity serving the covered community.

11 “(vii) A joint labor-management part-  
12 nership.

13 “(5) APPLICATIONS.—To be eligible to receive a  
14 grant under this subsection, an entity shall submit  
15 an application to the Secretary at such time, in such  
16 manner, and containing such information as the Sec-  
17 retary may require, including, at a minimum—

18 “(A) a proposal to use the grant funds to  
19 establish or expand a training program in order  
20 to train covered workers for employment as  
21 health care professionals, including information  
22 that demonstrates the long-term viability of the  
23 training program beyond the period of the  
24 grant;

1 “(B) information demonstrating the need  
2 for the training and support services to be pro-  
3 vided through the training program;

4 “(C) information describing the manner in  
5 which the entity will expend the grant funds,  
6 and the activities to be carried out with the  
7 funds;

8 “(D) information demonstrating that the  
9 entity meets the requirements of paragraph (4);

10 “(E) with respect to training programs  
11 carried out by the applicant, information—

12 “(i) on the graduation rates of the  
13 training programs involved;

14 “(ii) on the retention measures car-  
15 ried out by the applicant;

16 “(iii) on the length of time necessary  
17 to complete the training programs of the  
18 applicant; and

19 “(iv) on the number of qualified cov-  
20 ered workers that are refused admittance  
21 into the training programs because of lack  
22 of capacity; and

23 “(F) a description of how the applicant  
24 has engaged all relevant stakeholders, including  
25 the health care industry to be served by the

1 training program, local labor organizations and  
2 other workforce groups, and local industry, in  
3 the design of the training program to be served  
4 with grant funds.

5 “(6) SELECTION.—In making grants under  
6 paragraph (3), the Secretary, after consultation with  
7 the Secretary of Health and Human Services,  
8 shall—

9 “(A) consider the information submitted by  
10 the eligible entities under paragraph (5)(E);

11 “(B) select—

12 “(i) eligible entities submitting appli-  
13 cations that meet such criteria as the Sec-  
14 retary of Labor determines to be appro-  
15 priate; and

16 “(ii) among such entities, the eligible  
17 entities serving the covered communities  
18 with the greatest need for the grants and  
19 the greatest potential to benefit from the  
20 grants; and

21 “(C) give preference to eligible entities—

22 “(i) submitting applications to serve  
23 covered workers who have been terminated  
24 or laid off or have received a notice of ter-  
25 mination or layoff from a manufacturing,

1 service, or construction industry, or an-  
2 other industry with significant decline in  
3 employment as determined by the Sec-  
4 retary; and

5 “(ii) with a demonstrated history of  
6 similar and successful partnerships with  
7 State boards or local boards, institutions of  
8 higher education (as defined in paragraph  
9 (4)(B)), industry groups, and labor organi-  
10 zations.

11 “(7) USE OF FUNDS.—

12 “(A) IN GENERAL.—An entity that re-  
13 ceives a grant under this subsection shall use  
14 the funds made available through the grant for  
15 training and support services that meet the  
16 needs described in the application submitted  
17 under paragraph (5), which may include—

18 “(i) implementing training programs  
19 for covered workers;

20 “(ii) providing support services for  
21 covered workers participating in the train-  
22 ing programs, such as—

23 “(I) providing tuition assistance;

24 “(II) establishing or expanding  
25 distance education programs;

1 “(III) providing transportation  
2 assistance; or

3 “(IV) providing child care; or

4 “(iii) increasing capacity, subject to  
5 subparagraph (B), at an educational insti-  
6 tution or training center to train individ-  
7 uals for employment as health profes-  
8 sionals, such as by—

9 “(I) expanding a facility, subject  
10 to subparagraph (B);

11 “(II) expanding course offerings;

12 “(III) hiring faculty;

13 “(IV) providing a student loan  
14 repayment program for the faculty;

15 “(V) establishing or expanding  
16 clinical education opportunities;

17 “(VI) purchasing equipment,  
18 such as computers, books, clinical  
19 supplies, or a patient simulator; or

20 “(VII) conducting recruitment.

21 “(B) LIMITATION.—Any such grant funds  
22 that are used to expand facilities may only be  
23 used to rent or modernize existing facilities, not  
24 to build additional facilities. The entity shall  
25 use not less than 50 percent of the grant funds

1 to carry out activities described in clause (i) or  
2 (ii) of subparagraph (A), unless the entity dem-  
3 onstrates, in the application submitted under  
4 paragraph (5), a need to spend more than 50  
5 percent of the grant funds on activities de-  
6 scribed in subparagraph (A)(iii).

7 “(8) FEDERAL SHARE.—

8 “(A) IN GENERAL.—The Federal share of  
9 the cost described in paragraph (3) shall be—

10 “(i) for the first year of the grant pe-  
11 riod, 95 percent;

12 “(ii) for the second such year, 85 per-  
13 cent;

14 “(iii) for the third such year, 75 per-  
15 cent;

16 “(iv) for the fourth such year, 65 per-  
17 cent; and

18 “(v) for the fifth such year, 55 per-  
19 cent.

20 “(B) NON-FEDERAL SHARE.—The eligible  
21 entity shall provide the non-Federal share of  
22 the cost in cash or in kind, fairly evaluated, in-  
23 cluding plant, equipment, or services.

24 “(9) EVALUATION.—

1           “(A) IN GENERAL.—Under the Secretary’s  
2 existing authority under section 172, not more  
3 than 1 percent of the funds provided under this  
4 subsection shall be used for evaluation of the  
5 training programs described in paragraph (3).  
6 Eligible entities receiving grants under this sec-  
7 tion shall use not more than 1 percent of the  
8 grant funds for purposes of evaluation or docu-  
9 mentation of the training programs.

10           “(B) CONTENTS.—In conducting an eval-  
11 uation under subparagraph (A), an eligible enti-  
12 ty shall provide data detailing the success of the  
13 training program carried out by the entity  
14 under paragraph (3), including—

15           “(i) information on the number and  
16 percentage of participating covered work-  
17 ers who complete a training program, in-  
18 cluding those who earn a degree or certifi-  
19 cate through such training programs;

20           “(ii) information on the rate of em-  
21 ployment of covered workers who have  
22 completed the training program;

23           “(iii) an assessment of how well the  
24 needs of the health care community were  
25 addressed by the training program; and

1                   “(iv) any other data determined to be  
2                   relevant by the entity to demonstrate the  
3                   success of the training program.

4                   “(C) REPORT.—The Secretary shall com-  
5                   pile the information resulting from the evalua-  
6                   tion or documentation conducted under sub-  
7                   paragraph (A), and shall submit a report to  
8                   Congress containing the information.

9                   “(10) FUNDING.—Of the amounts appropriated  
10                  to, and available at the discretion of, the Secretary  
11                  or the Secretary of Health and Human Services for  
12                  programmatic and administrative expenditures, a  
13                  total of \$25,000,000 shall be used to establish and  
14                  carry out the demonstration project described in  
15                  paragraph (2) in accordance with this subsection.”.

○